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G. R. S. IX-5]

1899-1900

Previous references.

Sls. 1–17

191 .

(&c. &c.)

File No. 87 of 1899.

Serial Nos. 18–19

Later references.

Sls. 20–23, 24–28
29–43, 44–73.

(Incomplete)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for

SUBJECT.

Arrangement with the Govt. of Madras in connection with Cauvery power Scheme.

W D 88—GPB—50,000—24-7-15

Jemma granted by the governor and council of Fort St. George to Sanjeevarayudu Subbiraidu Ramasamy Ramanadhan, inhabitants of Satyapalem Nimmakuru and Nadimiundlu of the village of Kommuru and Oopiara in the District of Tanjore.

Whereas Sanjeevarayudu Subbiraidu Ramasamy Ramanadhan have petitioned praying erection of a bridge over the Sanctuary and Nattern branches of the river Cauvery forming the Island of Seringamcoodlaroo with a view to secure and shorten the road from Trichinopoly to Tanjore and to provide in some degree the means of keeping same in repair, the governor in Council of Fort St. George with the sanction of the Honorable the Court of Directors hereby grant to the said Sanjeevarayudu Subbiraidu Ramasamy Ramanadhan their heirs and successors one entire tract of land consisting of Punjah, Varugah & all other sorts of waste description lying on the Island of Seringamcoodlaroo situated in the village of Satyapalem in the Pala of Kolerpat in the village of Coimbatore (with the exception of 12½ / twelve and half Bullahs of Punjah land originally reserved on Enam tenure to the Pattern Periatalwar Punjah situated on the north of the said Island on the bank of the river Cauvery) and also the tract of land according to the annexed Schedule or

the Governor and Council of the Province of New Brunswick is hereby authorized & empowered to grant to Lauchlan Campbell Archibald Campbell Hugh Munro Duncan Munro & Malcolm Munro or to any three or more of them power & authority to collect the several rates & duties payable by the Act passed in the Seventh year of the Reign of His present Majesty King George the Fourth intituled An Act for the better regulating & ascertaining the Fees to be taken by the Clerks Sheriffs Coroners & Gaolers of the several Counties within this Province & for other purposes therein mentioned & by the said Act granted to the Justices of the Peace for the County of Northumberland in Quarter Sessions assembled for the purposes therein mentioned & by the said Lauchlan Campbell Archibald Campbell Hugh Munro Duncan Munro & Malcolm Munro or their Deputies or Assistants duly appointed for that purpose & to account for the same in the manner directed by the said Act

And be it further enacted that the said Lauchlan Campbell Archibald Campbell Hugh Munro Duncan Munro & Malcolm Munro or their Deputies or Assistants duly appointed for that purpose shall be entitled to receive & collect the same Fees & Rates for the Ferry across the Miramichi River at Chatham as are allowed to be received & collected by the Keeper of the Ferry across the Miramichi River at Douglastown in the County of Northumberland & that the Keeper of the Ferry at Chatham shall be subject to the same Penalties & Forfeitures for any neglect or misconduct in the management of the said Ferry as the Keeper of the Ferry at Douglastown is subject to by the Act passed in the Seventh year of the Reign of His present Majesty King George the Fourth intituled An Act for the better regulating & ascertaining the Fees to be taken by the Clerks Sheriffs Coroners & Gaolers of the several Counties within this Province & for other purposes therein mentioned & by the said Lauchlan Campbell Archibald Campbell Hugh Munro Duncan Munro & Malcolm Munro or their Deputies or Assistants duly appointed for that purpose shall be entitled to receive & collect any new or unauthorized Fees under her Head or to collect the ancient & established Fees at a higher Rate than according to the Custom of the County or has hitherto been usual

And be it further enacted that the Keeper of the Ferry at Chatham shall keep the two Wharfs he has constructed across the two Channels of the Country in sufficient repair, the Governor in Council is pleased to permit Lauchlan Campbell Archibald Campbell Hugh Munro Duncan Munro & Malcolm Munro or their Deputies or Assistants duly appointed for that purpose shall be entitled to receive & collect any new or unauthorized Fees under her Head or to collect the ancient & established Fees at a higher Rate than according to the Custom of the County or has hitherto been usual

And be it further enacted that the Keeper of the Ferry at Chatham shall keep the two Wharfs he has constructed across the two Channels of the Country in sufficient repair, the Governor in Council is pleased to permit Lauchlan Campbell Archibald Campbell Hugh Munro

[illegible] Kamalamangy [illegible] two hund[illegible]
[illegible] for each [illegible] moderate [illegible]
[illegible] all [illegible] frequenting the [illegible]
[illegible] per according to the following rates -

For every Bandy Cadoe. Madras Cannamy
For every Bullock Cadoe. Madras Cannamy
For every Passenger carrying Goods. Madras Cart, Ho
Madras Cart, Ho
For every Horse. Madras Cart/Ho
For every Bullock. Madras Cart/Ho
For every Carriage not [illegible] goods. Madras Cart/Ho

On the above conditions the said [illegible]
Para Parta Pichicanee Kamalamangy [illegible]
his heirs and successors for ever are [illegible]
empowered to hold the said Island of [illegible]
Manaar and the land aforesaid [illegible]
entire village of Kattigal and all waste [illegible]
thereunto belonging together with the privi[illegible]
of collecting Customs within her Capha[illegible]
Chattrums villages as above specified
also the privilege of keeping toll at the
prescribed on all persons frequenting
for Bridges which Canamaara Cantan[illegible]
came Canamangy in order to [illegible]
attended and in return threof, he [illegible]
in Council of Fort Ducht by some [illegible]
offered our prayer and the said [illegible]
Company at Fort Ducht & con[illegible]
day of March, one thousand eight [illegible]
sixty two -

[illegible] Read & R. [illegible]
Entered in Secretary's Office [illegible]
Signed of the Governor [illegible]
[illegible] Signed [illegible]

No. 24.

Letter No. 2990—302-94, *dated Bangalore,* 25*th June* 1900, *from the First Assistant to the Resident in Mysore, to the Dewan of Mysore.*

I am directed to acknowledge the receipt of your letter No. 150—D. C., dated the 26th May 1900, regarding the scheme for utilising the power of the Cauvery Falls to generate electricity.

2. A copy of your letter was forwarded to the Government of Madras, whose reply has now been received. They observe with regard to the enumeration contained in paragraph 3 of your letter that a most important condition has been omitted, namely that all water diverted from the river for the Power Works shall be returned to the river below the Falls without being fouled or diminished in quantity; this condition His Excellency the Governor in Council regards as essential, and I am to enquire whether it is accepted by the Durbar. It was contained in paragraph 9 of my letter No. 2316, dated the 14th May last.

3. With reference to paragraph 5 of your letter under reply, the Government of Madras state that they will not permit the construction of any new irrigation work or the extension of an existing one above the Falls so as to divert water from the Cauvery in so far as that Government may have legal power to prevent such construction or extension. The Government of Madras has promised to instruct the Superintendent, Madras Survey, to have a map prepared, showing all existing irrigation on the British side above the Falls.

4. As regards paragraph 6 of your letter, I am to say that His Excellency the Governor in Council has no objection to the conditions agreed upon being incorporated in a separate formal statement; but at the same time he does not consider such a course to be necessary as the conditions are stated with sufficient clearness in the correspondence that has already taken place. His Excellency in Council has no objection to the Durbar's commencing operations as early as may be convenient, provided it is prepared to accept the terms offered by the Madras Government in their entirety.

No. 25.

Letter No. 428—2684, *dated Bangalore,* 2*nd July* 1900, *from the Secretary to the Government of Mysore, P. W. D., to the First Assistant to the Resident in Mysore.*

I am directed to acknowledge the receipt of your letter No. 2990—302-94, dated Bangalore, the 25th June 1900, and in reply to state that the Durbar agree to the condition that "all water diverted from the river for the Power Works shall be returned to the river below the Falls without being fouled or diminished in quantity." This condition may, it is submitted, be constructed as subject to the natural rights of the present and prospective population of the neighbourhood, to the reasonable use of the water of the river and the proposed channel for their requirements for drinking and other domestic purposes.

2. Under the circumstances stated in para 4 of your letter under reply, the Durbar agree to withdraw their former suggestion for a separate formal agreement of the conditions agreed upon, as the same are already stated with sufficient clearness in the correspondence.

3. Having accepted the whole of the terms offered by the Government of Madras, the Durbar now propose to proceed with the carrying out of the scheme in accordance with the permission conveyed in para 4 of the letter under a cknowledgment.

D P W

Kaveri Electrical Power Scheme

Now that the Govt: of India have acceded authorizing the Durbar to proceed with the Scheme, we can begin entering into the necessary contracts and commencing the construction of Dams and other local works. But a further necessary preliminary is a definite arrangement with the Madras Government:-

1st That the Mysore Government will be allowed to use the whole of the water power now available, without any diminution of the Summer

Supply, we will not interfere with supply required for existing irrigation, but we must protect ourselves against any claims on account of irrigation, but we must protect ourselves against any claims on account of irrigation to be hereafter newly extended in British Territory.

2d That we can build the two low dams required to take off the entire Summer Supply to our works.

These are essential conditions, the acceptance of which by Madras should be obtained in writing, before we really begin.

Another very necessary preliminary is the result of the gaugings now going on — we can scarce

undertake the work, unless there is at least 360 cft. per second throughout the present dry season.

III The above preliminary being satisfactorily settled, we can sign the agreements with Taylor & Sons and with the Manufacturers.

IV Is it not so? anything else would be unsafe.

V I have written to the Resident another D.O. acknowledging his wire and pressing for an early agreement with the Madras Government

V Meanwhile I would like to quite Settle the Drafts of proposed Agreements.

VI I have been studying the final Draft of the Agreement with Taylor & Sons you left with me yesterday. I want to see all the previous Drafts. Please send them when I have Studied one or two clauses more carefully I would like to have a talk over them with Capt Lothbiniere.

VII Articles of agreement and Conditions -

Are those in Compilation sent to Govt of India

the final drafts? I shall send me the final drafts.

VIII. On both agreements I am endeavouring to get legal opinion from Madras by next Thursday.

29.3.00 S. V. Sheshadri

THE RESIDENT MYSORE

BANGALORE.

Section
File No 87 94
Serial No 1

My dear Dewan.

I sympathize with you in regard to the delay about the Cauvery Scheme - but it seems to me that you must possess yourself in patience for a few days longer - after what has passed I do not think you could commence work before the Madras Govt: issue a final pronouncement upon the Project in reference to the terms for the use of the water - on the 6th of this month I sent a long telegram to the Secretary Madras Govt - explaining exactly how the case stood, mentioning specially the points that the sanction had been accorded to the Commencement of Operations by the

Govt: of India, and that the time for acceptance of tenders was limited up to the present I have had no answer - possibly the move from Madras & the Easter holidays have continued to delay work in the Secretariat. If I do not hear by, say, the 25th I will send a reminder - In my telegram I reported what you told me, viz that you could not start work until some arrangement had been come to with the Indian Government - [redacted] - and apart from this it seems clear that your Operations must be tied to the Madras side of the boundary & that a reference to them alone on this account will be necessary - In forwarding Col Campbell's letter

15

1468/631 Of 28 Feby sent to Mexico I sent the Plan which accompanied it. So they must know exactly what we now intended

I doubt whether the argument that the Mexicans first have agreed to terms which you accepted hence there can, unless they are going to grant some concession, be nothing left for them to decide - and therefore you are at liberty to commence work - is quite sound — So far we have been told that H.G. the Governor is prepared to allow etc-etc - and the President was asked whether the Mexicans agreed to accept the terms specified - Nothing is as yet nothing in the shape of a final agreement as between the two Governments - indeed in your letter 1052/582 of the 17 Nov. last para 4. while thinking H.G. for the 'Offer' of concession - you submit certain further representa

for consideration & ask that we agree upon such terms

as H.M. may deem to be fair and equitable under all the

circumstances of the case - from the moment that we

placed ourselves in His Excellency's hands. & that up to the present

the negotiations are still in the preliminary stage. reasons in

para 13 the necessity for the completion of a preliminary agreement

His Majesty before work is started is clearly understood. The

circumstances are doubtless now somewhat different in regard to

the occupation of Mesopotamia by the Allied Forces. but the main position para

graphs the necessity for the agreement seems to still unchanged

Yours faithfully

D. Rothschild

17.4.00

Private

THE RESIDENT MYSORE

1 Enclosure.

BANGALORE.

Secret
File No. 87 of 09
Serial No. 104

My dear Brown -

I have just received a reply from the Madras Govt: about the Cauvery power Scheme - and a letter will arrive to-day, transmitting its contents, from the Office at Bangalore on Monday next.

The Madras Govt: practically maintain the position they took up in their original communication by your arguments. Briefly they are -

I. No charge for first seven.

II. Reserve for 30 years for half total H.P. utilized - 5/- per E.H.P. per annum subject to yearly minimum of 2000/-

III. Revision of the assessment at close of 30 years -

VIII. If any contractor is driven out from legal (wholly business)
claims shall be by compensation for any interest in effected
V. contracts buildings &c. P for 2 years operation & terminate agreement

as regards the rate of 5/- per E.H.P. the remaining question of the
scheme has been a long-drawn out [illegible] rate to pay
the necessary compensation to the returns — [illegible]
the two low dams [illegible] of the River above the Falls, can be
built, provided (1) that the water boards the Corporation of Bournemouth
may be legally entitled to for irrigation, or other purposes, is not limited,
restricted, or interfered with — (2) that the owners should make good to
the owners [illegible] all loss or damage which under the decision of a
competent Civil Court may accrue in consequence of the contemplated
operations, through the infringement of their legal rights of private
property.

2

I observe that, though my letter transmitting yours [redacted] F.37.D. of
28 Mch. is acknowledged, no notice is taken of the representations
(Clause I)
contained in para 8 of that communication (our letter) - though in
my covering letter I invited special attention thereto - the point
which still requires further elucidation is whether the Persian Govt:
do or do not agree to restrict their irrigation operations above
the Falls to their present limits. I have not the Papers here for
reference - but as I do not see how we could, in the absence of a special
agreement to this effect, prevent them from extending the existing
irrigated areas, if any such extensions are practicable without
building fresh dams across the River -
I am afraid you will find the conditions imposed somewhat irksome,
and I cannot understand why, when the Persian Govt: have assumed
themselves exactly this line of direction, they insist upon any payment

Cond. [illegible]
6 Sept 1871

(Temporary)

for the use of the Trustees. It seems to me quite clear that we cannot expect better terms from the Trustees [illegible] than we now enjoy. Our hope lies in an appeal to the feeling of justice - this would take time and delay the inauguration of the scheme, and unless the appeal was backed up by the hiring Companies its success would be doubtful.

Such support as I could give it would be unwilling.

Generally speaking the Project seems to me from the point of view of business [illegible] when it promised to be - and if as I imagine we are considering whether it should be carried out, then I think the Trustees should [illegible] the Companies to [illegible] the present favourable terms, it would be [illegible] to bring the matter to a final decision.

Should this however not be your decision I am ready to give my cordial support to any scheme that may be brought forward.

I am keeping no copy of this letter. which you can of course show to [illegible] Mr Mackenzie & Co of the Caledonian - Mr Pearson

From

THE SECY. TO THE GOVT. OF MYSORE,
GEN. & REV. DEPTS.

To

Dated

Despatched

Received

General No.

No.

Enclosure No.

MGCPE—23-1-01—5,000